

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 1:25-CV-22324-WPD

HARVEY JAMES GOMEZ FROMETA, an individual; FREDDY AMADO GOMEZ FROMETA, an individual; BELKIS PIERINA GOMEZ FROMETA, an individual; PIERINA ZULETA FROMETA, an individual; CAROLINA ZULETA FROMETA, an individual; LUIS ALEJANDRO ZULETA FROMETA, an individual; DINORAH MERCEDES FROMETA SENIOR, an individual; HAYDEE FROMETA BELLO, an individual; LUIS VICENTE FROMETA BELLO, an individual; LUIS MANUEL FROMETA PAREJA, an individual; BARBARA REGINA FROMETA GRILLO a.k.a. BARBARA REGINA FROMETA DE SIGISMONDI, an individual; TRINA MARGARITA FROMETA GRILLO, an individual; JOSE ANTONIO FROMETA GRILLO, an individual; ILEANA ALEJANDRINA FROMETA GRILLO, an individual; MAGDALENA FROMETA GRILLO, an individual,

Plaintiffs,

v.

ADRIAN FROMETA SUBERO, an individual; BILLO'S CARACAS BOYS LLC, a Florida limited liability company; TELMO PEREZ QUIROZ, an individual,

Defendants.

PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE

SRIPLAW

CALIFORNIA ♦ GEORGIA ♦ FLORIDA ♦ TENNESSEE ♦ NEW YORK

Plaintiffs, by and through their undersigned counsel and pursuant to Federal Rule of Evidence 201, hereby requests that the Court take judicial notice of the contents of Exhibits A, B, and C to the Declaration of Scott Burroughs. Under Federal Rule of Evidence 201(b), the court may take judicial notice of any fact or material “that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” *United States v. Jones*, 29 F.3d 1549, 1553 (11th Cir. 1994), quoting Fed.R.Evid. 201(b). Each of the aforementioned documents qualifies for judicial notice as follows:

Exhibit A and B are subject to judicial notice as the judicial acts of another Court. Courts may take judicial notice of another court’s order for the purpose “of recognizing the “judicial act” that the order represents or the subject matter of the litigation.” Id., citing *United States v. Garland*, 991 F.2d 328, 332 (6th Cir.1993) (citation omitted). Here, Exhibits A and B are orders from the Venezuelan Supreme Court of Justice and the Twenty-Third Municipality and Measure Enforcement Court of the Judicial District of the Metropolitan Area of Caracas involving the parties to the action and the same intellectual property at issue here. The Court may accordingly take judicial notice of these orders to recognize the judicial acts they represent and that the cover analogous subject matter to the present case.

Exhibit C includes documents from the United States Patent and Trademark Office for the application for registration of a trademark in the “Billo’s Caracas Boys” mark at issue in this matter. The Court may properly take judicial notice of same as “[w]ith regard to the documents and records of the USPTO” they are “publications of these government agencies...are entitled to judicial notice because “[c]ourts have found that the contents of an administrative agency's publicly available files traditionally qualify for judicial notice.” *Therapeutics MD, Inc. v. Evofem*

Biosciences, Inc., No. 20-CV-82296, 2022 WL 1978723, at *1 (S.D. Fla. June 5, 2022), citing *BPI Sports, LLC v. ThermoLife Int'l LLC*, No. 19-60505-CIV, 2020 WL 10180910, at *3 (S.D. Fla. Jan. 9, 2020).

The aforementioned documents are capable of accurate and ready determination by resort to sources whose accuracy cannot be reasonably questioned. Fed. R Evid. 201(b). The Court may take judicial notice of its own records and records of other court cases.

Plaintiffs certify that plaintiffs' counsel conferred with counsel for defendant Billos Caracas Boys LLC in a good faith effort to resolve the issues raised in the motion and defense counsel indicated that Billos Caracas Boys LLC was unwilling to agree to the relief sought. The parties conferred by email and telephone, with the teleconference taking place on November 19, 2025. Plaintiff was not able to confer with defendants Adrian Frometa Subero or Telmo Perez Quiroz who have not yet appeared in the case.

Dated: November 20, 2025

Respectfully submitted,

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